

1362 .88
CRIM
c.3

CRIME VICTIMS

**... financial aid
in Illinois.**

ILLINOIS STATE LIBRARY

AUG 1 1985

ILLINOIS DOCUMENTS



OFFICE OF THE ILLINOIS

ATTORNEY GENERAL

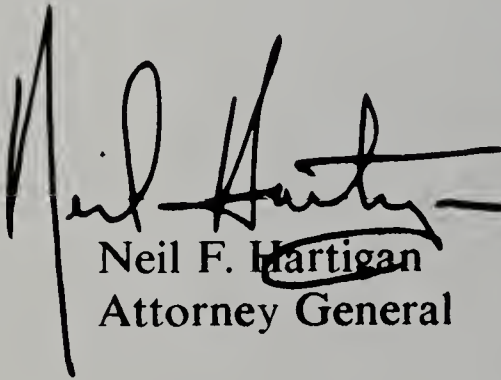
To the People of Illinois:

The Illinois Crime Victims Compensation Act is intended to reduce the financial burden imposed on innocent victims of violent crime and their families.

The program which my office administers under this Act is the key element in our effort to create a true victims justice system here in Illinois.

This brochure has been designed to explain the program in detail and familiarize you with the provisions of the Act.

Sincerely,


Neil F. Hartigan
Attorney General



YOU ARE ELIGIBLE FOR COMPENSATION IF:

- You are a victim of violent crime and sustain physical injuries.
- You are a survivor of a victim of violent crime and were dependent upon the victim for support.
- You are related to the victim and pay reasonable medical and/or funeral expenses.

YOU ARE NOT ELIGIBLE FOR COMPENSATION UNLESS:

- You report the crime to the proper authorities within 72 hours and cooperate fully with law enforcement officials.
- Your financial loss is \$200 or more. (This requirement is waived for persons 65 or older who satisfy the income eligibility test set forth in the Senior Citizen Property Tax Relief Act.)
- Injury or death was not attributable to wrongful conduct or provocation.
- You and the assailant are not living together at the time your claim is filed and the time of final decision. (If the victim is deceased, the victim and the assailant cannot have been living together at the time of the crime).

THE FOLLOWING CRIMES OCCURRING IN THE STATE OF ILLINOIS ARE COVERED BY THE PROGRAM:

Murder, voluntary manslaughter, kidnapping, aggravated kidnapping, sexual assault, deviate sexual assault, heinous battery, arson, aggravated arson, indecent liberties with a child, assault, aggravated assault, battery, aggravated battery, reckless conduct, reckless homicide, driving under the influence (if the offender has been convicted)

COMPENSATION WILL BE PAID AS FOLLOWS:

- Medical and hospital expenses; nursing care; expenses incurred for counsel-

ing by clinical psychologists or certified social workers; loss of earnings up to \$750 per month or loss of support; expenses for replacing the lost services that a permanently injured or fatally injured person would have performed for himself/herself or his/her family; paid funeral and burial expenses up to a total of \$2,000.

- Compensation is limited to the applicant's expense above \$200 except in the case of a claimant 65 or older. Compensation is not allowed if there is compensation from any other source, except annuities, pension plans, Social Security benefits payable to dependents of the victim, and the first \$25,000 of life insurance.

- Total compensation may not exceed \$15,000 per incident.

- There is no compensation for property loss or damage.

- There is no compensation for pain and suffering.

HOW TO FILE:

- Obtain a Notice of Intent to File a Claim from:

Illinois Attorney General
Neil F. Hartigan
Crime Victims Program
174 W. Randolph, 3rd Floor
Chicago, IL 60601
(312) 793-2585

Forms are also available from our Springfield office or any of our 19 regional offices.

• Complete the notice and return it to us within 6 months of the date of injury. We will then send you an Application for Compensation.

• Complete the Application for Compensation and return it to us within one year of the date of injury. We will forward a copy to the Court of Claims.

YOUR CLAIM WILL BE INVESTIGATED AS FOLLOWS:

• You will be required to furnish such information as the Court of Claims and the Attorney General may request.

• The information in your application will be investigated by the Attorney General. You may be requested to appear for a personal interview.

• Certified copies of income tax returns for the year of the injury and for the previous year may be requested.

• You may be required to undergo a medical examination by a doctor selected by the Attorney General or the Court of Claims.

• All inquiries will be conducted in strict confidence.

YOUR CLAIM WILL BE CONSIDERED AS FOLLOWS:

• After the investigation has been completed, the Attorney General will submit a report to the Court of Claims.

• The Court may render a decision based on your application and the report or order the claim set for hearing.

• A copy of the Court's decision will be mailed to you.

You will be asked to execute forms authorizing the investigation of information in your claim and also a subrogation agreement to the State.

Your claim will be investigated and determined without regard to whether the alleged criminal is known or not, and regardless of whether he has been arrested and found guilty or not guilty.

Any willful misstatement or omission of facts by any applicant shall be violation of law subject to penalty.

NOTICE

No fee may be charged to the applicant for the preparation and presentation of an application before the Court of Claims. The applicant may, however, be charged a reasonable fee, determined by the Court of Claims, for representation at a hearing as provided for in this Act.

This pamphlet is a brief summary of key provisions of the ILLINOIS CRIME VICTIMS COMPENSATION ACT. (Illinois Revised Statutes, 1977, Ch. 70, Sec. 71, et. seq., and Public Act 81-1013, effective 9/22/79). The Act was further amended in September, 1983. The full text of the law must control any decision of the Court.

UNIVERSITY OF ILLINOIS-URBANA



3 0112 122587741

OFFICE OF THE ILLINOIS ATTORNEY GENERAL HEADQUARTERS OFFICES

500 S. Second Street
Springfield 62706
217-782-1090

100 West Randolph St.
Chicago 60601
312-917-3000